

## LABOR WILL FIGHT LOCKWOOD DEMANDS

Proposals to Curb Power of  
Unions Alarm Leaders  
Here.

## BIG CONFERENCE TODAY

Incorporation Under State  
Law Not Relished by  
A. F. of L.

## SOME POINTS YIELDED

Fear Expressed That Radicals  
Will Gain Strength Through  
Change.

Labor leaders are preparing to fight the Lockwood Committee's proposal to curb the power of unions by compelling them to incorporate under state laws. The American Federation of Labor, apparently alarmed by the attacks made by Samuel Untermyer, counsel to the committee, has called a conference of all organized labor to-day at the Hotel Continental to start a counter move.

Mr. Untermyer's demands that the unions discontinue "objectionable practices," as disclosed in recent sessions of the Lockwood Committee, will be taken up in detail in the conference to-day. A few of the demands may be met. The labor leaders declare they are ready to make any reforms they can from within, but they give notice they will fight to the last any attempt at regulation or control by any agency outside of their ranks.

Delegates from the American Federation, the State Federation of Labor, the Central Trades and Labor Council and the Building Trades Council have been invited to the gathering to-day to discuss certain transfers and practices among the building trades as disclosed by the Lockwood committee. James P. Holland, head of the State federation, Hugh Frayne, representative in this State of the American Federation and spokesman for Samuel Gompers, and a dozen or more local leaders will attend.

**Plasterers Union Yields.**

The locals appear to be eager to accept the demands from Mr. Untermyer for reform at the very moment the national leaders are lining up their forces for a test of strength. Several unions have declared their discontinuance of certain practices of which complaint is made.

The Plasterers Union announced yesterday it had agreed to all the Untermyer demands. The executive committee of this union, whose organization was shown to be tighter than any other in the city, had been declaring its discontinuance of "objectionable practices." That did not satisfy Mr. Untermyer. He gave notice something more must be done. Accordingly, Michael J. Callahan, the president, called a meeting of the whole union for January 3 to ratify the action of the executive committee.

Mr. Frayne said yesterday he did not know what action would be taken to-day in the conference. This is the first time the American Federation has taken formal and official notice of the attacks by the Lockwood committee, and to bring the union under state regulation by forcing them to incorporate. Such a drastic law would be a death blow to unionism, the leaders assert.

If the State were authorized to prescribe rules and regulations for the conduct of all unions, labor men declare it would give employers an advantage which would wipe out all that organization has accomplished for their cause in a decade.

## Fear Grip of Radicals.

Dangers which threaten organized labor from the attacks of radicals of all brands now trying to unite in one big party will be emphasized by the union leaders as reasons for noninterference by the State. The unions have been fighting a hard battle to down radicalism, they say, and the sense is not yet decided. Any move which weakens unions at this critical time will help indirectly the radical cause.

There are no radical buses shown here in the collection of dues shown by Mr. Untermyer and which he insists must be eliminated if he is not to go to the Legislature to ask for the enactment of the proposed incorporation statute. One of these is the union system of issuing permit cards whereby, Mr. Untermyer charges, the membership of unions is restricted. Non-union members are charged \$2.50 a week and union members \$2 a month and it is demanded this be stopped and the membership thrown open to all applicants.

Through the use of the permit, it is charged, the unions maintain a closed corporation and by keeping down their membership and forbidding employment of non-union men, they threaten the other trades, maintain absolute control of building and prices. It is expected the conference to-day will take a decided stand in support of the permit system.

## Affects Collection of Dues.

Others of the "objectionable practices" which the conference may consider to-day with a view to advising the unions how to deal with the Lockwood committee include the keeping of books for audit by the State; strict regulation of the dues collected by union leaders; regulations regarding the employment of helpers and foremen; union rules prohibiting use of casts, fabricated work in factories, plumbing fixtures attached at factories and many other labor saving devices.

The American Federation and its allies may endorse some of the demands, especially those which would curb unions in collection of dues, but it is regarded as settled that the national leaders will accept the challenge for a final fight on the proposition to incorporate.

## HETTRICK'S PLEA NOT FILED.

If friends of John T. Hettrick, "code of practice" lawyer, are planning to take his case before the Parole Commission, as was reported Monday, their plans have not developed as yet to the point where the commission has been notified.

At the offices of the commission it was said that the case of Hettrick, who is charged with the murder of a woman, is being held in the hands of the committing judges. He would have to counterbalance whatever action the commission might take.

## MOVIE PICTURES SHOWN AS EVIDENCE IN \$50,000 SUIT

Film Used Against Miss Frye of Peekskill, Who Seeks Damages From Prof. W. B. Gage of Tarrytown as Result of Motor Accident.

Motion pictures showing Miss Marie Frye of Peekskill walking down a flight of stairs and along a dock toward a steamboat were exhibited to a jury in the Supreme Court at White Plains yesterday in the trial of the \$50,000 damage suit brought by Miss Frye against Prof. Walter B. Gage, head master of the Hackley School at Tarrytown. This is the first time that the movies have been introduced as evidence in any court in Westchester county, and so far as court attaches and lawyers there knew, it was the first time they have appeared in court in that manner anywhere.

Miss Frye is suing Prof. Gage because of permanent injuries which she alleges she received two years ago when she was struck by his automobile. The case has been tried before and resulted in a disagreement. The movies were shown by the attorneys for the defendant to prove that while Miss Frye may have suffered injuries from the accident, she is not injured permanently and is not a cripple, as she maintains. The pictures show Miss Frye walking down the steps with a woman detective by her side and then along the dock toward

the steamship. When halfway down the steps she stopped and removed her hat. According to the testimony of the defendant's witnesses the movies were taken on last August 28, at Pier 1, Hudson River, where Miss Frye was accompanied by the detective, Mrs. Lillian Zeldt. Justice Young took the jury and court attaches to a darkened room in the basement, where the film was run off. The pictures were rather blurred and indistinct, and attorneys for Miss Frye objected, declaring that the film was not sufficiently clear to establish beyond doubt that the woman walking down the stairs was Miss Frye.

Before the pictures were shown Mrs. Zeldt testified that she had arranged for the camera man to be at the foot of the stairway with his machine. She said that Miss Frye caught sight of the camera when she reached the middle of the stairs, and that she suddenly stopped and pulled off her hat and held it in front of her face, saying, "Oh, my God! I wonder who is out to get me." Mrs. Zeldt also testified that Miss Frye had told her of a dancing party at Far Rockaway, where she had had a good time.

## FLAPJACKS RUIN BOYS' ADVENTURE

Fare to Philadelphia Soon Dispersed in Buying Appetizing Buckwheats.

William McNamee, 14, of 19 Hancock avenue, and Edward Tamblin, 14, of 43 Hancock avenue, both of Tonawanda, are away from home yesterday morning to achieve their ambition of working in "the diamond fields of Philadelphia," which they had heard were fine places to get rich and have romantic adventures. But they got no further than the Pennsylvania terminal in New York, because of their appetite for buckwheat cakes and doughnuts.

Both of the boys are Boy Scouts and attend Public School No. 21 in Tonawanda. Young Tamblin has a newspaper stand after school hours, and for several weeks he has been saving up every penny he could get, as has McNamee also, so they could have funds to take them to the diamond fields. On Christmas Day young Tamblin had \$20, but owing to heavy purchases for the holidays young McNamee had no money whatever. But they decided that \$20 was sufficient to get them anywhere they wanted to go.

So they planned to leave, but before they started young Tamblin reduced his capital by spending \$10 on a Christmas present for his mother. But the ten dollars was not enough. They looked big. They reached the Terminal and found that they had a forty minute wait for the next train to Philadelphia. They walked about for a time and stopped to eat some doughnuts and cakes. They were a man cooking buckwheat cakes and flipping them into the air whenever he wanted to turn them.

The two boys looked so long at the man making cakes that they became hungry, so they went inside and ate buckwheat cakes and coffee for more than half an hour. Then they went to the station and asked for two tickets for Philadelphia, but found that they would cost more than the \$6.37 they had. Ticket agent refused to sell them half fare tickets, so they went into the terminal smoking room to talk things over. They began to quarrel, each accusing the other of eating so many buckwheat cakes that they had no money gave out and were overheard by a special station policeman, who took them into custody and later turned them over to Patrolman Crampton of the West Thirtieth street station. They were sent to the Children's Society and their parents notified.

## POLICEMAN SENTENCED FOR TAKING \$10 BRIBE

Must Serve Between Three and Ten Years.

John F. Carroll, a traffic policeman, formerly attached to Traffic Squad D, was sentenced to serve from three to ten years at Sing Sing by Supreme Court Justice Crosey in Brooklyn yesterday for taking a bribe of \$10.

It was charged that after serving John H. Hunter, a coal salesman, with a summons for driving an automobile without a license the policeman met him at the Traffic Court and offered to "fix the matter" for \$10. The money was paid and then Carroll paid Hunter to Hunter to the police and the District Attorney. Carroll was indicted, tried by a jury and convicted. He did not take the stand in his own defense.

## DR. LORENZ REFRESHED BY A HOLIDAY REST

Will Conduct Clinic in Brooklyn To-day.

Dr. Adolf Lorenz, the Viennese surgeon, returned to the Murray Hill Hotel yesterday after spending two days with friends on Long Island. He said he was much refreshed and that he felt better than at any time since he came to this country. Bearing in mind the warnings of his friends to partake only lightly of Long Island duck and turkey, he confined himself mostly to his favorite meats of soup and oysters.

Dr. Lorenz will conduct a clinic at 10 o'clock this morning at the Health Department Building at Flatbush avenue extension and Wiloughby street, Brooklyn. Seventy-five patients who have been selected by Health Department surgeons will be examined.

## ASKS MANDAMUS FOR RAISE.

Increase to F. H. Gross Opposed As Special Appointee.

Decision was reserved in the Supreme Court yesterday on the application of Frederick H. Gross, an engineer in the employ of the Bronx Parkway Commission, for a mandamus to compel the Comptroller to sign a payroll in favor of an increase of salary was granted him and other employees of the commission last September.

Gross's motion was opposed by the Corporation Counsel on the ground that Gross and his fellow employees did not come within the provisions of the civil service law, but were under the jurisdiction of a special commission appointed by the Legislature. Under the provisions of the special act three-quarters of the cost of the commission's work is to be borne by this city and the remainder by Westchester county.

## BOY COASTER DEAD; ANOTHER CRIPPLED

Snowy Hills Tempt Hosts of Little Owners of Christmas Sleds.

Just enough snow fell early yesterday morning to pack down into a good coating layer and to bring out the Christmas sleds. The snowfall in up-town Manhattan was less disturbed, and all the hills so inviting that the risk of coasting through traffic had no discouraging effect on the youngsters' enthusiasm.

Two bad accidents happened, however. One boy was killed and another's hip was crushed. For the first accident, which happened in Fairview, N. J., the driver of an automobile was charged with manslaughter. Max Roeder, 14, of Fairview, started down a hill near his home, and most of the way the going was fine. Guisto Campanella of 26 Concord avenue, Jersey City, was driving an automobile, and at the start of the incline was some distance behind the sled. Campanella said he kept sounding the horn, but half way down the sled runners struck a bare spot, the sled whirled about and Roeder went directly into the path of the automobile. He was crushed under the wheels.

Sidney Dominick, 11, of 728 East 124th street, The Bronx, coasted in Trinity avenue. The Bronx and traffic were so heavy that the only space he could find to pass a big truck was over near the left side of the street. He swerved over and ran in next to the curb. But the sled caught on the curb and he thought. The sled was jammed between the curb and the truck and was wrecked, and one truck wheel crushed his right thigh. He was taken to Lincoln Hospital.

Not knowing how long the snow might continue after it started early yesterday morning, the snow removal bureau of the Street Cleaning Department had 400 emergency men on the job at 4:30 A. M. to reinforce the regular sweepers, and they made short work of it, assisted later by a thawing temperature. Toward afternoon the coasting was pretty well gone everywhere in the city.

## END POLITICAL RATES TRAFFIC CLUBS TOLD

Could Get Fit Men, Says H. A. Palmer.

Henry A. Palmer of Chicago, editor of the Traffic World, told the members of the Traffic Club of New York last night at the Waldorf that if traffic clubs throughout the United States were more assertive of their rights they could have enough influence to prevent appointments to the Interstate Commerce Commission from a political standpoint rather than from a standpoint of fitness for the service.

He declared also that there is opportunity for the traffic clubs to do valuable work in helping to put a stop to the political rate making that is going on. Many of the traffic carriers, he said, are lending their support to this political rate making, and he urged the clubs to encourage "these railroad brothers" to stand on their feet and put up a little fight.

## HARSELL'S RELATIVES DOUBT BODY IS FOUND

Report From Asheville, N. C., Not Confirmed.

Robert K. Clark of Bedford, N. Y., said yesterday he gave little credence to the report that a body found in the woods of Mitchell county, near Asheville, N. C., was that of his nephew, Elzie L. Harsell, naturalist and sportsman, who has been missing since last February. Norman Harsell, a brother, now living at Allendale, N. J., said he had heard nothing of the report and declined to discuss it.

"I consider it most improbable that my nephew was murdered," said Mr. Clark. "And I can see no basis for the report of the finding of his body."

Mr. Clark called attention to the fact that the body is reported to have been found by Detective Belm of Galax, Va., an investigator hired by the family, and said Elzie was called off the search several weeks ago. Mr. Harsell has not been heard from since he left his home in Roanoke, Va., to walk to the Georgia border.

## SUES FOR 12TH STREET LAND.

Justice Dismisses Action for Cemetery of 1801.

Justice Vernon M. Davis in the Supreme Court yesterday dismissed a suit brought last October by Mrs. Louisa H. Bradley demanding that she be declared the owner of a piece of ground in the north side of Twelfth street because an ancestor of hers had set apart the site for a burial ground in 1801 and it had been sold by his immediate descendants contrary to his will.

Mrs. Bradley alleged that she was a great-granddaughter of Jacob Arden, who owned the land in 1801 and who was buried in a tomb erected on it, as provided in one of the clauses of his will. The will provided that his heirs in perpetuity were to keep the spot as a graveyard and keep it of way open to it.

## WINDOW SMASHERS ARE HELD AS THIEVES

Bernard Kelly, 16, Caught in Chase for Youth With Trained Heel.

## \$640 IN COATS SAVED

Destruction of \$6,000 in Plate Glass Blamed on Young Burglar.

## \$20,000 THIEVES RAPID

Fur Garments Stolen in Four Minutes Between Alarm and Arrival of Police.

Bernard Kelly, 16, of 676 Ninth avenue, sought in the quest for the youth whose heel has cost merchants between \$5,000 and \$12,000 in broken plate glass windows and \$2,000 to \$5,000 in lost stolen from forty shops, was arrested early yesterday after a window had been broken in a store of Brill Brothers, clothiers, at Broadway and Forty-ninth street. Two fur coats valued at \$640 were saved from being stolen.

Patrolman John Moore saw a young man put his heel against a lower corner of Brill Brothers' window and give a twisting push. Part of the glass fell in, but the main part of the window was intact. Into the aperture jumped the youth and another who was with him. Moore was almost on them when they emerged. At sight of him they dropped the fur coats and ran west in Forty-ninth street. Kelly was arrested after a pursuit that led over tenement house roofs at Ninth avenue and Forty-ninth street.

## Accused in Many Cases.

Later Joseph Pellario, 17, of 416 West Forty-ninth street, was apprehended. Both were accused in a previous attempt at robbery at a Brill Brothers store and thefts at the Knickerbocker Haberdashery, 147 West Forty-second street; Circle Men's Shop, 4 Columbus Circle; Galety Shirt Shop, Broadway and Forty-sixth street; Johnston & Siegel, 214 West Fifth street; a millinery shop in the Hotel Astor, from which bird of paradise feathers, stolen, and a millinery shop at 146 West Forty-fourth street.

Since December 15 the number of shop window robberies has been the police on edge. Detectives say an expert burglar can break a part of a big plate glass window, making a hole big enough to enter, but not shattering the glass to attract attention, by using a peculiar body swing as he pushes.

## 820,000 Theft in Four Minutes.

Burglars stole furs valued at \$20,000 in four minutes on Christmas morning from the wholesale saleroom of G. Puertch & Co., 151 West Twenty-sixth street. It was learned yesterday. Only four minutes elapsed between the sounding of a burglar alarm, which they set off by breaking a window, and the escape of the thieves. The furs were mostly Alaskan seals. Four hundred of them were lifted from racks in the rear of the saleroom, tied into bundles and carried to the street, where they were put into an automobile.

The robbery was at 7 A. M. A watchman and a policeman from the West Thirtieth street station saw an automobile believed to have been carrying the bandits turning into Sixth avenue at high speed.

The robber gang, the police say, is the same which has been operating in the district for three months. A negro ascarat driver, who was captured by the bandits, and held in a doorway while the furs were being removed, gave a good description of the thieves.

## Furs Stolen from Clerk.

Three armed men entered the fur shop of a clerk, Silverberg, 112 West Twenty-ninth street, at 9 o'clock yesterday morning, tied and gagged David Weinberg, a clerk, and stole furs valued at \$900. Weinberg was released by a messenger boy who entered a half hour later. Weinberg told the police the men tied up the furs in a leisurely manner and walked out to an automobile.

The department store of H. Levy, at 745 Manhattan avenue, Brooklyn, was robbed of cash amounting to \$5,000, which represented Saturday night's receipts. The safe was on the second floor. Bars had been spread on a rear first floor window. The safe had been opened by experts, according to the police. The burglars left the tools and rubber gloves.

## \$25,000 BAIL FIXED IN \$2,000,000 THEFT

Calabrese Held by Grand Jury in Robbery.

Frank Calabrese, of 622 Montrose avenue, Hoboken, was arraigned before John Wahlquester, United States Commissioner, in Jersey City, yesterday and held in \$25,000 bail for the Grand Jury on a charge of having been implicated in the holdup of a mail wagon in Leonards street near Broadway on October 24, when bonds, jewelry and cash valued at about \$2,000,000 were stolen.

The only witness before the Commissioner was Frank Haverack, driver of the mail truck, who again identified Calabrese as the man who jumped on the running board of his machine and pointed a revolver at him. On cross examination by Calabrese's attorney, August Ziegner, Haverack admitted he had not been shot and that the prisoner at first had told the police that Calabrese was not one of the robbers.

Haverack said that later, however, Joseph Vick, postal inspector, sent him a photograph of Calabrese with the eyes ringed with a pencil, giving him the effect of wearing glasses, such as the bandit had worn. Then, Haverack said, he was able to identify Calabrese and picked him out of a lineup of fifteen men at Jersey City Police Headquarters. Now, he told the Commissioner, he was certain Calabrese was one of the robbers.

## POST FOR J. B. CROOKS.

Ralph C. Greene, newly appointed United States Attorney for the Eastern district of New York, in Brooklyn, announced yesterday that he will appoint Joseph B. Crooks, an attorney attached to the Naturalization Bureau, an Assistant United States Attorney.

## Police Motors Held Up by Socialist Alderman

To speed up the equipment of the Police Department with motor cars for use in chasing criminals, Commissioner Whalen of the Department of Plant and Structures asked the Board of Aldermen yesterday for \$50,000 for that purpose without the formalities of public letting. The single vote of Alderman Edward F. Cassidy, Socialist, killed immediate consideration.

"The motor car is playing an important part in recent crimes," said Commissioner Whalen. "It is only proper and right that the Police Department should be equipped with sufficient motor apparatus to cope with the situation."

## RUNAWAY TRUCK DASHES INTO STORE

Enters Through Window and Injures Two Persons in The Bronx.

Some one released the brakes of a motor truck of the Fordham Wet Wash Laundry of 2375 Washington avenue, The Bronx, on the hill at Elton avenue and 155th street, The Bronx, while the driver was delivering washing, and the truck went on a wild journey, speeding in Elton avenue to 154th street, and crossing Third avenue, where it crashed into the window of the William Baum Company department store. A woman and a child were hurt. Mrs. Mary Brush of 329 East 154th street was knocked down and her head cut and Walter Partenheimer, 4, 415 East 14th street, received possible internal injuries.

The boy was taken to Lincoln Hospital. Joseph Kramer, 11, of 357 Bushwick avenue, Brooklyn, was killed yesterday by an automobile while crossing Bushwick avenue and Beaver street. The driver, Arthur J. Lipke of 1955 Jefferson street, was not held.

An automobile ran down Charles John Raymond, 70, of 609 East 135th street, The Bronx, last night, while he was driving his grandson, Robert Raymond, 21 months old, in a go-cart at Southern Boulevard and 135th street. Observing his danger when the automobile was almost on him Raymond gave the go-cart a violent push, sending it to the opposite curb. The child was unhurt. Raymond was knocked down and received a possible skull fracture and internal injuries. He was taken to Lincoln Hospital. No charge was made against the driver, Herman Jecofsky of 518 Alabama avenue, Brooklyn.

## JOHN T. DOOLING, AID TO SWANN, RESIGNS

Assistant District Attorney in Office Six Years.

John T. Dooling, Assistant District Attorney, last night tendered letters of resignation to District Attorney Swann and to Joseph H. Barton, District Attorney-elect. Mr. Dooling has been in the district attorney's office six years and during that time has been regarded as one of Mr. Swann's closest advisers.

He brought about the conviction of Dr. Arthur W. Waite, who murdered his father-in-law and mother-in-law. He helped prosecute Gaston Means for murder in North Carolina, convicted George Graham Rice of stock swindling and indicted the late John J. Wall Street, aiding in the recovery of hundreds of thousands of dollars in securities. Mr. Dooling plans to resume the practice of law at 27 Cedar street.

## RED TAPE BARS CONVICT FROM DYING CHILD'S BED

Robber From Penitentiary Gets Far as Tombs.

Because the intricacies of the law are an unaltered quickly Richard Armstrong, penitentiary prisoner who was one of a band of safe thieves operating in the Wall Street district, did not reach home in time to see his daughter Catherine, aged 5, before she died. He was in the Tombs yesterday waiting for the action of the Parole Commission. The child died Monday night.

Judge Otto Rosakowsky and John T. Dooling, Assistant District Attorney, will appeal to the commission to let Armstrong go home on parole in time for the funeral. Both interested themselves in Armstrong's behalf when his only child, taken suddenly ill about two weeks ago, called continually for her father.

The matter of a parole was taken up last night with the commission, but the rush of cases and the intervention of the holiday season caused delay, so that when the child died Armstrong got only as far as the Tombs, where he is being held pending the commission's action.

## PILGRIMAGE ARRANGED.

Plans for Visit to Roosevelt Grave Announced.

Arrangements were announced yesterday for the second annual pilgrimage to the grave of Theodore Roosevelt on January 6. The first pilgrimage was made on January 6, 1921, the second anniversary of his death, and at the grave an organization was formed to make the pilgrimage a permanent feature.

The 1922 pilgrimage will be made in the morning of January 6, a train leaving New York for Oyster Bay at 9 o'clock. The services at the grave will be held about 11 o'clock and will be brief. The purpose of the pilgrimage, as announced, is to keep alive the doctrines of Col. Roosevelt.

## MILK BOYCOTT URGED.

Officials of the Milk Drivers' Union, Local 584, announced last night after an all day conference with officers of the United Hebrew Trades that the latter had volunteered financial and moral assistance in ending the present strike of milk wagon drivers. All members of the United Hebrew Trades have been urged to refrain from purchasing milk from the companies which had not settled with the strikers.

## KNOCKED HIS MOTHER DOWN.

Mrs. Sadie Pined of 22 New Chambers street has pleaded guilty to the death of her son, Andrew, 21, it was said yesterday in Tombs Court, but when he came home Christmas eve, demanding more money than she refused to give it to him, knocked her down, she made a complaint and he was arrested. She appeared against him in court yesterday and he pleaded guilty. He was remanded to the Tombs until tomorrow for sentence.

## SOUTHMAYD WILL PROBATE IS FOUGHT

Nephews and Nieces File Objections After Long Examination of Witnesses.

## \$3,000,000 IS INVOLVED

Mental Capacity of Their Aunt to Make Will Is Questioned.

Following the examination yesterday of witnesses to the will of Miss Emily Southmayd, who died last March leaving an estate valued at \$3,000,000, formal objection to probate was filed by a nephew and niece, Samuel D. Southmayd and the Misses Julia and Meta Southmayd and Mrs. Mary O. S. Meeker. They have objected on the ground that their aunt lacked mental capacity to make a will and they deny that her will was signed in the presence of the subscribing witnesses.

Miss Southmayd, who bequeathed the bulk of her estate to charity, was the sister of Charles Southmayd, who was the law partner of William M. Everts and Joseph H. Choate. The will was executed on April 8, 1915, and bequeathed \$100,000 each to the rector and wardens of Grace Church, Roosevelt, St. Luke's and New York hospitals, \$50,000 each to six other institutions and \$25,000 each to thirteen others.

The nephew and niece who are contesting the will were bequeathed only small amounts and a few heirlooms, their aunt explaining that ample provision had been made for them by her brother, and that she too had provided for them liberally in her lifetime. She divided her residuary estate between the Children's Aid Society and Grace Church and the three hospitals.

Her will was supplemented by two codicils, in one of which she bequeathed to Allen W. Everts, son of William M. Everts, her brother's law library, her new in Grace Church and \$30,000. He and the New York Life Insurance and Trust company are named as executors. Miss Southmayd's contesting relatives all live in East Orange, N. J. The examination of the witnesses to her will ended yesterday after having been in progress for two months.

## WOULD QUASH CITY'S APPEAL ON BUDGET

Realty Owners to Ask Order on Date of Hearing.

Continuing its attack upon the 1922 budget of the city of New York, the United Real Estate Owners' Association, through Bernard S. Deutsch, its attorney, yesterday served notice upon the Corporation Counsel that he would make a motion to dismiss the appeal from the Appellate Division of the Supreme Court on the order directing the Board of Estimate to restore to the budget some \$3,000,000 in penalties. The motion will be made on January 9, the day upon which the appeal will come before the Court of Appeals.

It is the contention of Stewart Browne, president of the association, that the city had no right to take an appeal without the consent of the Appellate Division, which handed down an unanimous decision. The Corporation Counsel contends the order was a modified one and therefore appeal without special permission was possible.

Asked what he intended to do about the threat made to have members of the Board of Estimate punished for contempt of court if they did not restore the \$3,000,000 by December 25, Mr. Deutsch said he would draw up such an order when he had time. Asked who he would get to sign it, he said he had no idea what was the proper authority to take such action, but he presumed the Appellate Division. When Mr. Deutsch returned he would ask him.

## WAR PATIENTS ALARMED BY FIRE NEAR CLINIC

Nurses Calm Them—Blaze Causes \$50,000 Damage.

Fifty former soldiers, patients in the United States Public Health Service Clinic in Hudson street, became alarmed last night when smoke drifted into the wards from a fire in the five story loft building at 121 Duane street, near State street, and across the street from the clinic. The building in which the clinic is housed was in no danger, however, and nurses went among the patients and calmed them.

The fire started in the plant of the Globe Ink and Mucilage Company on the third floor, and spread through the fourth and fifth floors to the roof, causing damage estimated at \$50,000. The firemen had difficulty in fighting the flames because of the ice that formed.

## JEWISH PAGEANT GIVEN TO OPEN EXHIBITION

Handiwork of Students Shown at Hotel Astor.

The Federation for the Support of Jewish Philanthropic Societies, of which Arthur Lehman is president and Felix M. Warburg, chairman of the board of directors, held a pageant last night in the Hotel Astor for the opening of the federation's exhibit. There also was a pageant in which many children took part. The exhibit made up of the handiwork of students of the various Jewish institutions in the city.

The women's division of the ways and means committee of the federation had charge of assembling the exhibits. On the committee in charge are Mrs. Sidney C. Borg, Mrs. Isaac Rubie and Miss Irene Brooks.

## MEAT STRIKERS DENY CLAIMS OF PACKERS

Only 20 of 150 Delivery Wagons Operating They Say.

Officials of the Packing House Workers' Union denied yesterday recent assertions of the "Big Five" packers that their plants were now being operated on a virtually normal basis. The union claims that but twenty of the 150 wagons in normal operation made deliveries yesterday. Policemen guarding delivery wagons and plants are accused by the union of acting as strikebreakers by making collections and actually driving trucks. The union threatens making a complaint to Mayor Hylan.

A hearing on the injunction proceedings brought by the "Big Five" and the United Hebrew Trades to restrain strikers from interfering with the business of these firms is scheduled for this morning before Justice Edward G. Whitaker in the Supreme Court. It is understood the union will fight the injunction on the ground that it is too broad in scope.

## ALFONSO PLANNING VISIT TO AMERICA

King Will Wait Until His Wars End, Declares Chaplain, Mgr. Rey Soto.